ORDER RECEIVED FOR FILING

IN RE: PETITION FOR ADMIN. VARIANCE N/S Camellia Road, 275' W of

the c/l of Gardenia Road (4426 Camellia Road) 11th Election District 5th Councilmanic District

Steven C. Dobry, et ux Petitioners * BEFORE THE

* DEPUTY ZONING COMMISSIONER

* OF BALTIMORE COUNTY

* Case No. 99-76-A

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* * * * * * * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Deputy Zoning Commissioner for consideration of a Petition for Administrative Variance filed by the owners of the subject property, Steven C. and Nancy S. Dobry. The Petitioners seek relief from Sections 504.2 and 1B01.2.C.6 of the Baltimore County Zoning Regulations (B.C.Z.R.) {Section V.B.3.a of the Comprehensive Manual of Development Policies (C.M.D.P.)} to permit a side yard setback of 4 feet in lieu of the required 5 feet for a proposed 6' x 15' storage (shed) addition, and a distance between buildings of 16 feet, and to amend the final development plan for Brookhurst, Section 2, Lot 8 thereof, accordingly. The subject property and relief sought are more particularly described on the site plan submitted which was accepted and marked into evidence as Petitioner's Exhibit 1.

The Petitioners have filed the supporting affidavits as required by Section 26-127 (b)(1) of the Baltimore County Code. The subject property having been posted and there being no requests for a public hearing, a decision shall be rendered based upon the documentation contained within the case file. Based upon the information available, there is no evidence in the file to indicate that the requested variances would adversely affect the health, safety or general welfare of the surrounding community and should therefore be granted. In the opinion of the Deputy Zoning

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Commissioner, the information, pictures, and affidavits submitted provide sufficient facts that comply with the requirements of Section 307.1 of the B.C.Z.R. Furthermore, strict compliance with the B.C.Z.R. would result in practical difficulty and/or unreasonable hardship upon the Petitioners.

Pursuant to the posting of the property and the provisions of both the Baltimore County Code and the B.C.Z.R. having been met, and for the reasons set forth above, the relief requested should be granted.

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this 17 day of September, 1998 that the Petition for Administrative Variance seeking relief from Sections 504.2 and 1B01.2.C.6 of the Baltimore County Zoning Regulations (B.C.Z.R.) {Section V.B.3.a of the Comprehensive Manual of Development Policies (C.M.D.P.)} to permit a side yard setback of 4 feet in lieu of the required 5 feet for a proposed 6' x 15' storage (shed) addition, and a distance between buildings of 16 feet, and to amend the final development plan for Brookhurst, Section 2, Lot 8 thereof, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject, however, to the following restrictions:

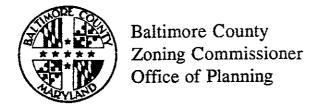
1) The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until the 30-day appeal period from the date of this Order has expired. If an appeal is filed and this Order is reversed, the relief granted herein shall be rescinded.

PIMOTHY M. KOTROCO

Deputy Zoning Commissioner

for Baltimore County

TMK:bjs



Suite 405, County Courts Bldg. 401 Bosley Avenue Towson, Maryland 21204 410-887-4386

September 17, 1998

Mr. & Mrs. Steven C. Dobry 4426 Camellia Road Baltimore, Maryland 21236

RE: PETITION FOR ADMINISTRATIVE VARIANCE

N/S Camellia Road, 275' W of the c/l of Gardenia Road

(4426 Camellia Road)

11th Election District - 5th Councilmanic District

Steven C. Dobry, et ux - Petitioners

Case No. 99-76-A

Dear Mr. & Mrs. Dobry:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Administrative Variance has been granted in accordance with the attached Order.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact the Permits and Development Management Office at 887-3391.

Very truly yours,

TIMOTHY M. KOTROCO

Deputy Zoning Commissioner

for Baltimore County

TMK:bjs

cc: People's Counsel

Eile



Petition for Administrative Variance

to the Zoning Commissioner of Baltimore County

for the property located at

which is presently zoned One

This Petition shall be filed with the Dept. of Permits & Development Management

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section(s) 504125 | BOI, Z.Z.C. (c) (BCZR) to PERMIT a Sldc yard Set back of U from The property line in lieuw of The required 5' from The proposed attached addition (Shed) 161

between bldgs and To amend final development plan Brookhurst, Sect. Z of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reasons: (indicate hardship or practical difficulty)

PAD FOR SHED HAS PLUSEADY BEEN POURED BASED ON MIFORMATION GIVEN TO OWNER BY COUNTY REPRESENTATIVE AT SIGNIFICANT COST TO OWNERS.

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County

			legal owner(s) of the property which	rm under the penalties of perjury, that I/we at n is the subject of this Petition
Contract Purchaser/Lessee			Legal Owner(s)	
			STEURN C. F	DRPY
Type or Print Name)			(Type or Print Name)	1
ignature			Signature	,
			DAVOY S DO	SRY
Address			(Type or Print Name)	
			1 58DE	\wedge
City	State	Zipcode	Signature (
ttorney for Petitioner				
			4426 Correllia	Kg (H)410-520-1820
Type or Print Name)			Address	(W)410-71Z-9256
			Baltimore.	MO 21236
			City Name Address and phone or more	State Zipcode r of representative to be contacted
Signature			realite, radices and priore number	To the properties of the contracted
Address	Phone	No.	Name	
City	State	Zipcoae	Address	Phone No
·····	-	,		

that the subject matter of this petition be set for a public hearing, advertised, as required by the Zoning Regulations of Baltimore County, in two newspapers of genero

ORDER RECEIVED TOR FILING
Date
By

REVIEWED BY: RT DATE: 8-17-98

ESTIMATED POSTING DATE: 8-30-98

circulation, throughout Baltimore County, and that the property be reposted

3

Printed with Soybean Ink on Recycled Paper ITEM #: 76

99-76-A

Zoning Commissioner of Baltimore County

Affidavit in support of Administrative Variance

The undersigned hereby affirms under the penalties of perjury to the Zoning Commissioner of Baltimore County, as follows:

That the information herein given is within the personal knowledge of the Affiant(s) and that Affiant(s) is/are competent to testify thereto in the event that a public hearing is scheduled in the future with regard thereto.

That the Affiant(s) does/do presently reside at	126 Camellia	ßd	
	Himre	M O	21236
Chy	ATTINITY C	State	Zip Code
That based upon personal knowledge, the following an Variance at the above address: (indicate hardship or practical	difficulty)		
We planned to boild a	shed . We re	died the cou	nry and
upper told if the shed was	o under 100) sq.feet, no	permit was
reded a o long as if was 3	A. Off the	property lin	= Based on
this information, we provided	the pad fa	- the shed;	so the shed
would sit 4 A. from the pigs	sexuline. Th	e cost of the	pad was
significant us are asku			
the stud as originally or	ireed was		
	,		
That Affiant(s) acknowledge(s) that if a protest is file may be required to provide additional information. (segnature) (type or point name) STATE OF MARYLAND, COUNTY OF BALTIMOR I HEREBY CERTIFY, this	TE, to wit:	(signature) (signature) (type or print name)	Notary Public of the State
the Affiants(s) herein, personally known or satisfactor that the matters and facts hereinabove set forth are true. AS WITNESS my hand and Notarial Seal. August 16, 1998	ue and correct to the o	such Affiantt(s), and man est of his/her/their knowledge. M. War	ecuge and rener.

Affidavit in support of Administrative Variance

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That the Affiant(s) does/do presently reside at	4426 Comellia	<u>Kđ</u>	
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That based upon personal knowledge, the fellow Variance at the above address: (indicate hardship or j	wing are the facts upon wh	ich I/we base the reques	st for an Administrative
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property line. The cost of			
that we be allowed to bu	ild the sned c	is anainally o	cared coar
			J
That Affiant(s) acknowledge(s) that if a protest may be required to provide additional information (signature) Type or print name) STATE OF MARYLAND, COUNTY OF BALTIS I HEREBY CERTIFY, this	MORE to wit	(type or print name)	a Notary Public of the State
the Affiants(s) herein, personally known or satisfathat the matters and facts hereinabove set forth at AS WITNESS my hand and Notarial Seal. August 16, 1998	re true and correct to the h	such Affianti(s), and moest of his/her/their kno Opt M. W. Life In Expires: Agrif	wledge and belief.

Petition for Administrative Variance

to the Zoning Commissioner of Baltimore County

for the property located at

	<u> </u>
	which is presently zoned locider
This Petition shall be filed with the Dept. of Permits	&Development Management (V, B, 3) C, M, D, Saltimore County and which is described in the description and plat attached
hereto and made a part harnest handle and	partimore County and which is described in the description and plat attached
a side yard set back of	4 From The project
The required 5' from The pr	e from Section(s) 504:2 & 1801.2.C. 6 (BGZR), FD: PERD 4' from The property line in lieu of oposed attached addition (shed) final development plan Brook horst, sect 2
between bldgg and to amend	tire development plan Brook hurst soit;
practical difficulty)	- East of Datamore County, for the following reasons: (indicate hardship or
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GIVEN TO OLINERS BY C	LOUNT REPRESENTATIVE AT SIGNIFICANT
COST TO SWILES.	
Property is to be posted and advertised as presi	Orihod by Zanina Bara Lu
", Y' TTV, GUIGE IO DAY EXDENSES OF ADOVE VERIENCE ARCIAMATA	=
be bound by the zoning regulations and restrictions of Baltimo	g, posting, etc., upon filing of this petition, and further agree to and are to bre County adopted pursuant to the Zoning Law for Baltimore County
	. We do solembly doubten and offer and a the
Community	IWe do solemnly declare and affirm under the penalties of perjury that I/we are re- legal owner(s) of the property which is the subject of this Petition
Contract Purchaser/Lessee	Legal Owner(s)
(Type or Print Name)	STEVEN C. DOBRY
,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,	(Type or Print Name)
Signature	L C. Of
	Signature
Address	WAUCH S. DUBRY
	Trype or Print Name)
City State Zipcode	Sonature 9 acys 10h
Attorney for Petitioner	Synastro ()
	4426 Comellia Pd 150 LID 207-1187
(Type or Print Name)	Address (w) 410-712-9256
•	3211 more 40 71731
Signature	City State Zincode Name Address and phone number of representative to be contacted
	and the second contacted
Address Phone No	
	Name
City State Zipcode	Address Phone No

ESTIMATED POSTING DATE

circulation, throughout Baltimore County, and that the property be reposted



ZONING DESCRIPTION

District.

Zoning Description for 4426 Camellia Rd Begining at a point morth side of Camella Rd. which 15 45,79' wide at The distance of 275 feet west of the centerlin at The nearest improved intersecting Street Cardenia Rd. which is sofeet wide. Being Lot #8, Block A, Section 2 in The Subdivision of Brookhurst as Recorded in Baltimore County Plat Book No 59, Folio 118, containg 6750 39. Ft. Hlso Known as 4426 Camalla Rd and locate In The 1/th Election District, 5th Couranten.

FM 99.76-A

BALTIMORE COUNTY, MARY ID OFFICE OF BUDGET & FINANCE MISCELLANEOUS RECEIPT	No. 056138	PAID RECEIPT PROCESS ACTUAL TIME
DATE 8-17-98 ACCOUNT OF ONE STEVEN & MANCE	100 00 100 00 1 DARBY	B/IB/1998 B/17/1998 14:45:42 REB WEG1 CASHIER CLUM CML DRAWER 1 5 MISCELLANCES CASH RECEIFT Receipt # 063888 0510 CR NJ. 056138 100.00 CHECK Baltimore County, Maryland
FOR VAR & HARDONENT # 44 26 CAMIELLA DISTRIBUTION WHITE - CASHIER PINK - AGENCY YELLOW - CU	ISTOMER RITI	79-76-A CASHIER'S VALIDATION

A-11-14.

CERTIFICATE OF POSTING

RE: Case # 99-76-A
Petitioner/Developer:
(Steven C. Dobry)
Date of Hearing/Closing:
(Sept. 14, 1998)

Baltimore County Department of Permits and Development Management County Office Building, Room 111 111 West Chesapeake Avenue Towson, Maryland 21284

Attention: Ms. Gwendolyn Stephens

Ladies and Gentleman:

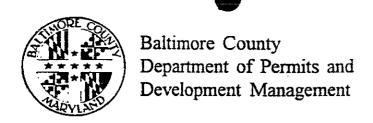
This letter is to certify under the	penalties of perjury that the necessary sign(s) required by	,
law were posted conspicuously	on the property located at	
4426 Camellia Road Baltimore,	Maryland 21236	
The sign(s) were posted on		_
	(Month, Day, Year)	



Sincerety, Our Jest Stop 19. (Signature of Sign Paster & Date)
Thomas P. Ogle, Sr
325 Nicholson Road
Baltimore, Maryland 21221
(410)-687-8405 (Telephone Number)

ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES

Filing Date: 8-17-98 Posting Date: 8-30-98 Closing Date: 9-14-9 Any contact made with this office regarding the status of the administrative variance should be through the contact person (planner) using the case number. 1. POSTING/COST: The petitioner must use one of the sign posters on the approved list (on the reverse side of this form) and the petitioner is responsible for all printing/posting costs. Any reposting must be done only by one of the sign posters on the approved list and the petitioner is again responsible for all associated costs. The zoning notice sign must be visible on the property on or before the posting date noted above. It should remain there through the closing date. 2. DEADLINE: The closing date is the deadline for an occupant or owner within 1,000 feet 0to file a formal request for a public hearing. Please understand that even if there is no formal request for a public hearing, the process is not complete on the closing date. 3. ORDER: After the closing date, the file will be reviewed by the zoning or deputy zoning commissioner. He may: (a) grant the requested relief; (b) deny the requested relief; or (c) order that the matter be set in for a public hearing. You will receive written notification (typically within 7 to 10 days of the closing date) as to whether the petition has been granted, denied, or will go to public hearing. The order will be mailed to you by First Class mail. 4. POSSIBLE PUBLIC HEARING AND REPOSTING: In cases that must go to a public hearing (whether due to a neighbor's formal request or by order of the zoning or deputy zoning commissioner), notification will be forwarded to you. The sign on the property must be changed giving notice of the hearing date, time and location. As when the sign was originally		
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Case Number 99- 76 -A Address 4426 CAMELLA RD. Petitioner's Name Steven C. Dobry Telephone 410-256 4856 Posting Date: 8-30-98 Closing Date: 9-14-98 Wording for Sign: To Permit a side yard set back of 4' from The Proposed attached addition (shed), 16' BETWEEN BLOGS.	Petitio	
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AND IN AMERIC TIMEL DEVELOPMENT PLAN BROOKHURST, SECTIO	•	· · · · · · · · · · · · · · · · · · ·
	AND	10 AMEND TINGL DEVELOPNIEN PLAN BROOKHURS, SECTIO



Development Processing County Office Building 111 West Chesapeake Avenue Towson, Maryland 21204

ZONING HEARING ADVERTISING AND POSTING REQUIREMENTS & PROCEDURES

Baltimore County zoning regulations require that notice be given to the general public/neighboring property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property (responsibility of which, lies with the petitioner/applicant) and placement of a notice in at least one newspaper of general circulation in the County.

This office will ensure that the legal requirements for advertising are satisfied. However, the petitioner is responsible for the costs associated with this requirement.

Billing for legal advertising, due upon receipt, will come from and should be remitted directly to the newspaper.

NON-PAYMENT OF ADVERTISING FEES WILL STAY ISSUANCE OF ZONING ORDER.

	ARNOLD JABLON, DIRECTOR
For newspaper advertising:	
Item No.: 76	
Petitioner: SILVIN C / DAWY S DE	801
Location: 4426 (AMELLIA RO BACIMO	OREMO ZIZZL
PLEASE FORWARD ADVERTISING BILL TO:	
NAME: STEVEN C. DUBRY	
ADDRESS: MZW ('AMEUA RO	
BATIMORE, MO 21236	
PHONE NUMBER: 410 256-4856	
AJ:ggs	(Revised 09/24/96)



COUNTY, MARYLAND

DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT

INTER-OFFICE CORRESPONDENCE

TO:

POM

FROM:

R. Bruce Seeley ANS

Permits and Development Review

DEPRM

SUBJECT: Zoning Advisory Committee
Mesting Date: (Laps)

The Department of Environmental Protection & Resource Management has no Comments for the following Zoning Advisory Committee Items:

Item #'s:

RBS:sp

BRUCE2/DEPRM/TXTSBP

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

TO:

Arnold Jablon, Director

Date: September 3, 1998

Department of Permits & Development

Management

FROM:

Robert W. Bowling, Chief Development Plans Review Division

SUBJECT:

Zoning Advisory Committee Meeting

for September 8, 1998

Item Nos. 076 077, 078 079, 080, 081, and 082

The Development Plans Review Division has reviewed the subject zoning items, and we have no comments.

RWB:HJO:jrb

cc: File

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Department of Permits
and Development Management

DATE: August 22, 1998

FROM: Arnold F. 'Pat' Keller, III, Director

Office of Planning

SUBJECT: Zoning Advisory Petitions

The Planning Office has no comments on the following petition(s):

Item Nos. 76, 77, 78, 79, 80, and 82

If there should be any questions or if this office can provide additional information, please contact Jeffrey Long in the Office of Planning at (401) 887-3480.

Section Chief: Jeffry W Long

AFK/JL

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

TO:

Arnold Jablon, Director

Date: September 3, 1998

Department of Permits & Development

Management

Robert W. Bowling, Chief Development Plans Review Division

SUBJECT:

Zoning Advisory Committee Meeting

for September 8, 1998

Item Nos. (076) 077, 078, 079, 080,

081, and 082

The Development Plans Review Division has reviewed the subject zoning items, and we have no comments.

RWB:HJO:jrb

cc: File



Parris N. Glendening Governor David L. Winstead Secretary Parker F. Williams

Administrator

Date: 8.31.51

Ms. Gwen Stephens
Baltimore County Office of
Permits and Development Management
County Office Building, Room 109
Towson, Maryland 21204

RE: Baltimore County

Item No. 076

RT

Dear Ms. Stephens:

This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not affected by any State Highway Administration projects.

Should you have any questions regarding this matter, please contact Larry Gredlein at 410-545-5606 or by E-mail at (lgredlein@sha.state.md.us).

Very truly yours,

15

Ronald Burns, Chief

Engineering Access Permits

Division

LG

Arthur J. Kempske Jr. 4428 Camellia Road Baltimore, Maryland 21236 410-529-5268 August 16, 1998

To Whom It May Concern:

This letter is in reference to the issuance of a building permit for 4426 Camellia Road and to state that I have no problem with the permit or the proposed work. If there are any further questions please do not hesitate to contact me at the above address or telephone number.

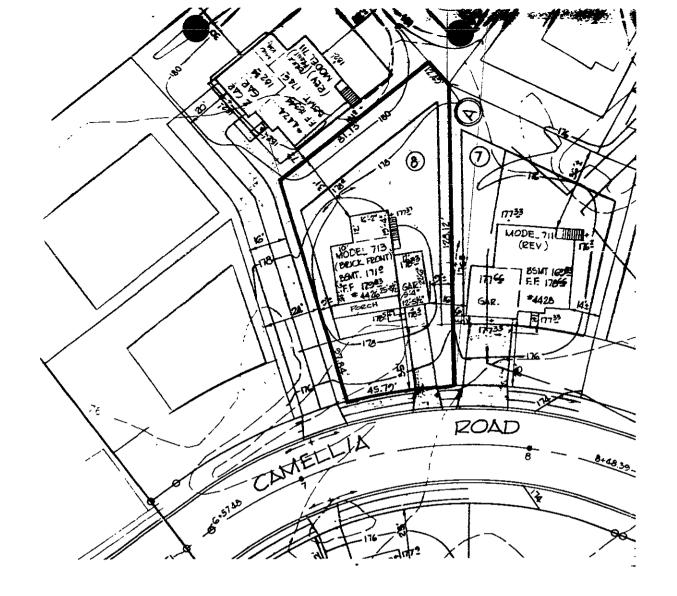
Sincerely.

Arthur J. Kempske Jr.

IEM# 76

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AGUST 12, 1998 ed by: S. Dubry Sca	2 25.00 L= 45.70 2 6 LINE WAY SETEMEN	CONC. 10.00 12.00 12.10	PROP. ADD. 12.	LANGUAGE ALLAMAN GOOD BOOK OF THE STATE OF T	0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0	Petition fo
Zoning Office USE ONLY! reviewed by: ITEM #: CASE#: PT 76	SEWER: WATER: WATER: WATER: WATER: WATER: WATER: Prior Zoning Hearings: WATER:	Councilmanic District: 5 1'=200' scale map#: NE 16 H Zoning: 772 5 5 Lot size: acreage square feet	Vicinity Map scale: 1'-1/75' LOCATION INFORMATION	DEBLANNALE OF THE OF TH	1.	Special Hearing

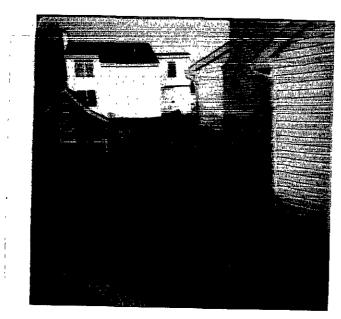
99-76-A



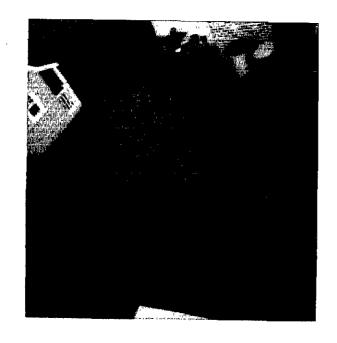
GRADING PLAN LOT 8, BLK A SECTION 2 BROOKHURST BALTO. CO, MD SCALE: 1": 30" MAR. G, 1990

1FEM# 76

99-76-A



476

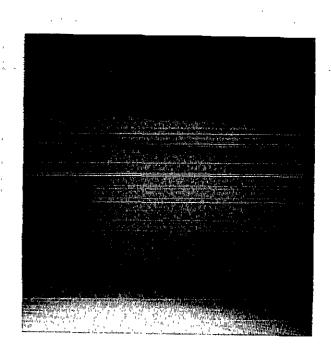


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